



## AMENDMENT 2 TO ANNOUNCEMENT LS-123

MAY 2006

### **PURCHASE OF FROZEN COOKED PRODUCTS FOR DISTRIBUTION TO CHILD NUTRITION AND OTHER FEDERAL FOOD AND NUTRITION PROGRAMS**

This amendment is issued to: (1) incorporate changes made under Amendment 1 to LS-123; (2) modify Section I.C., Offer Prices and Evidence of Delivery; (3) reflect changes in Section I.D.4., Food Defense Requirements; (4) modify Section I.D.5.b. Documentation and Assessment Requirements; (5) revise Section II.E.4., Certifications; (6) revise Section III., Acceptance of Offers; (7) provide a new Exhibit G purchase schedule; (8) replace Exhibit A; and, (9) provide Attachment I issued under Amendment 1 to LS-123.

Delete "Amendment 1" and replace with "Amendment 2" and incorporate Amendment 2 to all references of "Announcement LS-123" and "Announcement".

#### Section I.C. Offer Prices and Evidence of Delivery

Please insert the following after the third paragraph:

"All delivery units--trucklot and less-than-trucklot (LTL) quantities--must be secured at all times prior to unloading with tamper proof, tamper resistant, serially numbered, high security seals that meet the ISO 17712 standard. Failure to seal or maintain the delivery unit under seal in accordance with these requirements may subject the shipment to rejection.

The contractor must maintain a record of each seal number used for trucklot and LTL delivery units. Additionally, the contractor must ensure that the applicable seal identification number is on each bill of lading, shipment manifest, or other delivery documents for each delivery destination.

When LTL delivery units are transported on the same trailer or railcar and destined for multiple recipients, the trailer or railcar must be sealed after each delivery. The seal number must be recorded on the appropriate delivery documents and correspond with the applied seal at the time of arrival at the next destination. It will be the responsibility of the contractor to provide a sufficient number of seals and ensure that the carrier service (truck or rail) secures the trailer or railcar after each delivery destination. Failure to seal the trailer or railcar after each stop may subject the shipment to rejection at the next scheduled stop and rejection of any subsequent deliveries on the trailer or railcar.

The ISO 17712 standard can be obtained through the following websites: 1) American National Standards Institute: <http://webstore.ansi.org/ansidocstore/iso.asp?> or 2) International Organization for Standardization: <http://www.iso.org/iso/en/CatalogueListPage.CatalogueList>."

Section I.D.4. Food Security Requirements

All references to “Food Security” including the title should be changed to “Food Defense”.

Delete paragraph in its entirety and replace with:

“The contractor and all subcontractors must have a documented and operational food defense plan that provides for the security of a plant’s production processes, which includes the storage and transportation of pre-production raw materials and other ingredients and post-production finished products. The plan shall address the following areas: 1) food defense plan management; 2) outside and inside security of the production and storage facilities; 3) slaughter and processing, including all raw material sources; 4) controlled access to production and storage areas; 5) storage; 6) water and ice supply; 7) mail handling; 8) personnel security; and 9) transportation, shipping, and receiving (includes the sealing of any transport conveyance for trucklot and less-than-trucklot quantities of finished product).

The food defense plans will be audited by the AMS, ARC Branch (see section I.5.). See FSIS Security Guidelines for Food Processors: <http://www.fsis.usda.gov/OA/topics/SecurityGuide.pdf> Information on the transportation and distribution of meat, poultry, and egg products is located at: <http://www.fsis.usda.gov/oa/topics/transportguide.htm>.”

Section I.D.5.b. Documentation and Assessment Requirements

Please insert the following paragraph after the last paragraph:

“For those suppliers who are approved and remain eligible as determined by the Contracting Officer to submit offers, the pre-award assessment audit may be waived provided all new or revised USDA program requirements are met. The contractor’s revised technical proposal must address all new or revised program requirements and be submitted and approved by the Contracting Officer in advance of submitting offers.”

Section II. E. Section 4. Certifications

Certification 2, delete and replace with:

2. By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-123 and Amendment 2; Appendix-1; Inv.\_\_; Exhibit A, dated May 2006; Contractor’s Technical Proposal approved by the Contracting Officer; AMS audit team’s initial report; USDA-1, Rev. 2, and Amds. 1, 2, 3, and 4 and the Federal Acquisition Regulations (both boxes must be selected).

- ☐ HAS
- ☐ DOES

Section III. Acceptance of Offers

Delete the last three sentences of first paragraph and insert the following:

“A notice of award will also be issued in the form of a Food Purchase Report (FPR) posted on the **Livestock and Seed Program, USDA, AMS Commodity Procurement Home Page** (see attached Notice), after 1:00 p.m., **Central time** on the day of acceptance. Information on awards will be

available by telephone to offerors and interested parties promptly following the posting of the FPR. Inquiries may also be made to a USDA, AMS Market News office or the Contracting Officer.”

### Exhibits

Delete Exhibit A dated June 2005 and replace with Exhibit A dated May 2006.

Delete table in Exhibit G and insert table shown below:

INV. NO.	COMMODITY TYPE	BID OPENING	AWARD DATE (NLT)	PRODUCTION	SHIPPING PERIOD
004	Cooked Items-Specified in Invitation	06/23	06/30	5 WEEKS	08/01-15
005	Cooked Items-Specified in Invitation	07/07	07/14	5 WEEKS	08/16-31
006	Cooked Items-Specified in Invitation	07/21	07/28	5 WEEKS	09/01-15
007	Cooked Items-Specified in Invitation	08/04	08/11	5 WEEKS	09/16-30
008	Cooked Items-Specified in Invitation	08/18	08/25	5 WEEKS	10/01-15
009	Cooked Items-Specified in Invitation	09/01	09/08	5 WEEKS	10/16-31
010	Cooked Items-Specified in Invitation	09/15	09/22	5 WEEKS	11/01-15
011	Cooked Items-Specified in Invitation	09/29	10/06	5 WEEKS	11/16-30
012	Cooked Items-Specified in Invitation	10/13	10/20	6 WEEKS	12/1-15
013	Cooked Items-Specified in Invitation	10/27	11/03	6 WEEKS	12/16-31
014	Cooked Items-Specified in Invitation	11/13 Monday	11/17	6 WEEKS	01/01-15/07
015	Cooked Items-Specified in Invitation	12/01	12/08	6 WEEKS	01/16-31/07
016	Cooked Items-Specified in Invitation	12/15	12/22	6 WEEKS	02/01-15
017	Cooked Items-Specified in Invitation	01/05/07	01/12/07	5 WEEKS	02/16-28
018	Cooked Items-Specified in Invitation	01/19	01/26	5 WEEKS	03/01-15
019	Cooked Items-Specified in Invitation	02/02	02/09	5 WEEKS	03/16-31

This amendment is effective with offers submitted on or after May 31, 2006.

/s/ William T. Sessions (5/11/06)

William T. Sessions

Associate Deputy Administrator

Livestock and Seed Program



## CHECKLIST AND REFERENCES TO APPLICABLE BID AND CONTRACT PROVISIONS ANNOUNCEMENT LS-123, FOR FROZEN, COOKED BEEF AND PORK PRODUCTS

PRODUCT DESCRIPTIONS (SECTION 1. A. (GENERAL))					BID/CONTRACT PROVISIONS				
Product/ Commodity Box Code	Specifications Listed in Priority Order	Commodity Purchase Code	Packaging and Packing	Minimum Offer Unit Size/Shippin g Unit	Tolerance Section VIII. B.	Shipping/Delivery Period Section II.C.; IV and VIII	Federal/State Plants Section I.D.3.	Competition (See Invitation)	Payment Section X
Pork Sloppy Joe Mix, Fully Cooked/A712	Item Description and Checklist of Requirements (IDCR) for Cooked Pork Items effective June 2005	24-68-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Pork Taco Filling, Fully Cooked/A718		24-70-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Breaded Pork Patties, Fully Cooked/A713		24-69-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Pork Patty 1.2 ounce Cooked/ A708		24-66-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	38,000 lbs 950 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Pork Patty 2.7 ounce Cooked/ A707		24-65-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	38,000 lbs 950 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Pork Crumbles with SPP, fully cooked/A720		24-64-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Pork Patty Link 1.0 oz Cooked/ A719		24-63-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Breaded Beef Patties, Fully Cooked/A715	IDCR for Cooked Beef Items – effective April 2005	24-26-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Beef Sloppy Joe Mix, Fully Cooked/A716		24-25-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Beef Taco Filling, Fully Cooked/A714		24-25-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.



United States  
Department of  
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Stop 0253-Room 2610-S  
1400 Independence Avenue, SW  
Washington, DC 20250

EXHIBIT A DATED MAY 2006  
PAGE 2 of 2

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Product/ Commodity Box Code	Specifications Listed in Priority Order	Commodity Purchase Code	Packaging and Packing	Minimum Offer Unit Size/Shippin g Unit	Tolerance Section VIII. B.	Shipping/Delivery Period Section II.C.; IV and VIII	Federal/State Plants Section I.D.3.	Competition (See Invitation)	Payment Section X
Beef Patties with Vegetable Protein Product (VPP) Homestyle, Fully Cooked/A706		24-18-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.
Beef Crumbles, Fully Cooked/ A717		24-28-10	10 pound, 5 pound, or 8 pound packages packed 40 lbs. Net weight (18.1 kg) per shipping container	40,000 lbs. 1000 cases	NONE	First Half/Last Half of month shipping period	Federal Plants Only	Full & Open	Upon Shipment X.B.

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**FOR  
USDA PURCHASES  
OF  
COOKED PORK ITEMS**

**Effective: June 2005**

**Supersedes IDCR For USDA Purchases of Cooked Pork Items – April 2005**

**I. ITEM DESCRIPTIONS**

Item –	<p>(1) <u>Pork Taco Filling, Fully Cooked</u> – This item consists of ground pork cooked in lightly seasoned ingredients for use in a variety of applications, including taco fillings, burritos, enchiladas and similar items.</p> <p>(2) <u>Pork Sloppy Joe Mix, Fully Cooked</u> – This item consists of ground pork cooked in seasoned tomato product for use in a variety of applications, including sandwich filling and similar items.</p> <p>(3) <u>Breaded Pork Patties, Fully Cooked</u> – This item consists of ground pork that is formed into round or oval patties, breaded and Individually Quick Frozen (IQF) for use as sandwiches or a stand-alone item. Portion Weight – 3.0 ounces.</p> <p>(4) <u>Pork Patties with SPP, Fully Cooked - 2.7 oz.</u> – This item consists of ground pork with soy protein product (SPP) and sausage seasonings, formed into round or oval patties, fully cooked, and then IQF for use as sandwiches or a stand-alone item. Portion Weight – 2.7 ounces.</p> <p>(5) <u>Pork Patties with SPP, Fully Cooked – 1.2 oz.</u> – This item consists of ground pork with SPP and sausage seasonings, formed into round or oval patties, fully cooked, and then IQF for use as sandwiches or a stand-alone item. Portion Weight – 1.2 ounce.</p> <p>(6) <u>Pork Patty Links with SPP, Skinless, Fully Cooked</u> – This item consists of ground pork with SPP and sausage seasonings, processed into skinless links cylindrical in shape, fully cooked, and then IQF for use as a stand-alone item. Portion Weight - 1.0 ounce.</p> <p>(7) <u>Pork Patty Crumbles, Fully Cooked</u> – This item consists of ground pork with SPP that is lightly seasoned and processed to a crumble size of ¼ inch maximum for use in a variety of applications such as chili, sloppy joe, tacos, spaghetti sauce, pizza, lasagna, casseroles, pasta dishes, and any recipe that calls for ground pork.</p>
Formula -	Pork will comprise at least 75% of the raw formula for all items.
Non-Meat Component –	Non-meat components will comprise no more than 25% of the raw formula.
Fat –	Fat will not exceed 15 grams per 100 gram serving.
Sodium –	The sodium content will not exceed 700 milligrams per 100 gram serving.
Packing –	Four (4) 10-pound, five (5) 8-pound, or eight (8) 5-pound primary containers (packages) will be packed in a 40-pound (net weight) shipping container.
Delivery Unit –	Each delivery unit will consist of 1,000 cases and 40,000 pounds, except for the pork patties 1.2/2.7 ounces which will consist of 950 cases and 38,000 pounds.

## **II. CHECKLIST OF REQUIREMENTS**

All items must be produced in accordance with Food Safety and Inspection Service (FSIS) regulations and the checklist of requirements.

### **A. MATERIALS**

The contractor's technical proposal must include procedures to address conformance with the following material requirements.

#### **1. MEAT COMPONENT**

Pork will be the only meat component allowed.

- a) Domestic Origin of Meat Component – All hogs will originate from U.S. produced livestock as defined in this announcement.
- b) Harvesting (Slaughtering) – Hogs will be harvested in facilities that comply with the following requirements:
  - (1) Humane Handling – All hogs will be humanely handled in accordance with all applicable FSIS regulations, directives, and notices.
  - (2) Non-Ambulatory Disabled Hogs – Meat from carcasses of non-ambulatory disabled hogs will not be included in USDA purchased cooked pork items.
- c) Boneless Pork – Boneless pork will comply with the following requirements:
  - (1) Traceability – Contractors are responsible for providing sufficient product traceability and must have records to verify the source of raw materials used in each lot of product.
  - (2) Handling – All boneless pork must be maintained in excellent condition. The contractor's technical proposal shall include detailed production scheduling that addresses time and temperature controls necessary to maintain excellent condition of the boneless pork. Frozen boneless pork may be used provided it is processed into the final product within 60 days from the date of pack. Production lots of boneless pork associated with positive pathogen test results will not be allowed.
  - (3) Objectionable Materials – Boneless pork shall be free of skin, bones, cartilages, organ tissue, heavy connective tissue, lymph glands, spinal cord, and foreign materials.
- d) Mechanical Separation – Meat that is mechanically separated from bone with automatic deboning systems, advanced lean (meat) recovery (AMR) systems, or powered knives will not be allowed.

#### **2. NON-MEAT COMPONENTS**

- a) Domestic Origin of Non-Meat Component – Significant ingredients (more than 1 percent) will be derived from U.S. produced products.
- b) Seasonings and Other Ingredients – Seasonings and other ingredients will be used to produce products with mild flavor profiles suitable for institutional feeding systems.
- c) MSG – Monosodium Glutamate (MSG) is not allowed.



- d) Soy Protein Product (SPP) – Pork Patties with SPP, Pork Patty Links with SPP, and Pork Patty Crumbles must contain SPP in the raw formula that meets the following requirements:
  - (1) The SPP will be hydrated to yield no less than 18% protein (as is basis).
  - (2) The physical characteristics of SPP, in the dry form, must be either granular or textured. The types of soy that may be used are soy concentrate or isolate (65% and 85% as is basis).
- e) Batter and Breading – For Breaded Pork Patties, Only – If flour is used in the batter and breading combination, it must be enriched.

## **B. PROCESSING**

### **1. GRINDER PLATE**

The size of the grinding plate for grinding boneless pork will be declared.

### **2. BONE COLLECTOR / EXTRUDER SYSTEM**

A bone collector/extruder system must be in operation to effectively remove skin, bone, cartilage, and heavy connective tissue during the final grind.

### **3. PATTIES**

- a) Raw Weight – The raw weight of the patties will be declared and charted on control charts featuring average weight and range.
- b) Individually Quick Frozen (IQF) – Patties will be IQF so the individual pieces do not stick together after they are packaged and packed.
- c) Pink Appearance – Patties with pink appearance after cooking will not be allowed.
- d) Shape – Patties will be round or oval shape.

### **4. LINKS**

- a) Skinless – Casing must be removed.
- b) Weight - Target packaged weight per cooked link will be 1.0 ounce. The raw weight of links shall be declared. All weights will be charted on control charts featuring average weight and range.
- c) IQF – Links will be IQF so individual links do not stick together after they are packaged.
- d) Pink Appearance – Links with pink appearance after cooking will not be allowed.

### **5. CRUMBLES**

- a) Size – The size of the crumbles will be no larger than ¼ inch.
- b) IQF – The crumbles will be IQF or may be produced from IQF's materials to prevent it from sticking together after freezing.
- c) Flavor – Crumbles must not have a 'char-broil' flavor.

**6. COOKING TEMPERATURE**

All products will be fully cooked in accordance with FSIS regulations.

**7. METAL DETECTION**

All products will be free of metal contaminants. Detection of stainless steel, ferrous, and non-ferrous (e.g., lead, copper, and aluminum) metals is required. The equipment, location, detection procedure, sensitivity levels, frequency of equipment validation, and corrective action procedures shall be described.

**C. FINISHED PRODUCT LIMITATIONS**

The declared serving size, fat content and sodium level will be stated on the nutrition facts panel on each label according to FSIS nutritional labeling regulations.

**1. FAT**

The fat content of the finished product will not exceed 15 percent

(Percent Fat = (Total Fat ÷ Serving Size) x 100).

**2. SODIUM**

Sodium level, must not exceed 700 mg per 100 g serving

((Declared Sodium Level (mg) X 100) ÷ Declared Serving Size (grams - racc\*) ≤ 700)).

**3. SERVING SIZE**

The serving size shall be declared on the nutritional facts panel in accordance with FSIS “referenced amounts customarily consumed” (racc) regulations and requirements.

**4. MICROBIAL**

Contractor will have documented plan to comply with the latest FSIS *Salmonella* and *Listeria monocytogenes* requirements for ready-to-eat foods. Product tested positive for any pathogen will not be allowed as rework or delivery to USDA.

**D. HEATING INSTRUCTIONS**

Heating instructions for the end-user will be provided in the offeror’s technical proposal and must be included in the shipping container (e.g. flyer, included on the package label, etc.). The pork links and patties will be prepared so that the end-user may bake them in a conventional or convection type oven.

**E. PREPARATION FOR DELIVERY****1. PACKAGING AND PACKING**

- a) Packaging – Patties will be either vacuum packaged or packed in a sealed (tamper proof) primary or (immediate) package. Pork taco fillings and sloppy joe mix will be hot-filled into reheatable high oxygen and high moisture barrier pouches.
- b) Packing – Four (4) 10-pound, five (5) 8-pound, or eight (8) 5-pound primary containers (packages) will be packed in a 40-pound (net weight) shipping container.

## 2. LABELING

The shipping containers will be in compliance with the National Motor Freight Classification, or the Uniform Freight Classification, as applicable. Along with FSIS labeling requirements, containers shall be labeled as follows:

- a) Primary Container Labels – Primary (immediate) container labels will contain the following information:
  - (1) A “Best-If-Used-By” date.
  - (2) A nutrition facts panel based on actual nutritional analysis of the product.
  - (3) A traceability code that is traced back to establishment number, production lot, and date.
- b) Shipping Container Labels – Shipping container labels will contain the following information:
  - (1) USDA shield at least 2 inches high and appearing on the top of the container or on the principle display panel.
  - (2) Applicable contract number.
  - (3) A traceability code that is traced back to establishment number, production lot, and date.
  - (4) A nutrition facts panel based on actual nutritional analysis of the product.
  - (5) The appropriate product code listed in the table below for each of the items.



Product Code	
Item	Code
Pork Taco Filling, Fully Cooked	<del>A708</del> A718
Breaded Pork Patties, Fully Cooked	A713
Pork Sloppy Joe Mix, Fully Cooked	A712
Pork Patties with SPP, Fully Cooked, 2.7 ounce	A707
Pork Patties with SPP, Fully Cooked, 1.2 ounce	A708
Pork Patty Links, Skinless, Fully Cooked, 1.0 ounce	A719
Pork Patty Crumbles, Fully Cooked	A720

All labeling illustrations must be provided.

## 5. CLOSURE

Shipping containers will be closed by strapping, taping or gluing. When strapping is used, the initial closure (usually the bottom of container) shall be secured by the gluing or taping method.

## 6. PALLETIZED UNIT LOADS

All products will be stacked on new or well-maintained pallets and palletized with shrink wrap plastic.

**F. DELIVERY UNIT**

Each delivery unit will consist of 1,000 cases and 40,000 pounds, except for pork patties 1.2/2.7 ounces which will consist of 950 cases and 38,000 pounds.

**G. DELIVERED PRODUCT****1. SIZE AND STYLE OF CONTAINER**

Only one size and style of primary (bags) and shipping containers may be offered in an individual shipping unit.

**2. TEMPERATURE**

All products will not exceed 0° F at the time of shipment and delivery.

**3. SEALING**

All products must be delivered to AMS destinations under seal.

**H. WARRANTY AND COMPLAINT RESOLUTION****1. WARRANTY**

The contractor will guarantee that the product complies with all contractual requirements.

**2. COMPLAINT RESOLUTION**

The contractor's technical proposal must provide a point of contact and the steps taken to resolve complaints received on the product (i.e, investigation, cause and effect analysis, corrective and preventative actions taken, and compensation (monetary or product replacement)).

**I. NON-CONFORMING PRODUCT**

The contractor must include a plan to assure that non-conforming product is not delivered under USDA contracts. The plan must address 1) control and segregation of non-conforming product, 2) removal of any USDA markings, and 3) disposition of non-conforming product.